

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE

Benjamin Mann,	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	Civil Action No. _____
	§	
Camp Fatima, Inc.; Roman Catholic Bishop	§	
of Manchester, Corporate Sole, Trustee of	§	
the Diocese of Manchester Central Fund	§	
Trust; and Peter Anthony Libasci, Bishop of	§	
the Roman Catholic Diocese of Manchester,	§	
<i>Defendants.</i>	§	

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441 and 1446, defendants Camp Fatima, Inc.; Roman Catholic Bishop of Manchester, Corporate Sole, Trustee of the Diocese of Manchester Central Fund Trust; and Peter Anthony, Libasci, Bishop of the Roman Catholic Diocese of Manchester (collectively the "Diocese")¹ files this Notice of Removal of an action pending in the Carroll County (New Hampshire) Superior Court (hereinafter "State Court"), and in support hereof state as follows:

1. The Diocese are defendants in a civil action brought by plaintiff Benjamin Mann (Case No. 212-2025-cv-00014) in the State Court. Therein, plaintiff asserts claims against the Diocese for disability discrimination under the Americans with Disabilities Act ("ADA"), Section 504 of the Rehabilitation Act of 1973 ("Rehabilitation Act"), NH RSA 354-A, and NH RSA 354-B.

¹ Plaintiff, in his Complaint, names Camp Fatima, Inc. as a defendant. However, the correct legal entity is Camp Bernadette and Camp Fatima, Inc., and Defendant reserves all rights to assert any defenses or objections related to Plaintiff's misidentification of the proper party.

2. Copies of all "process, pleadings and orders" received by the Diocese are attached hereto as Exhibit A.

3. The Court has original jurisdiction over this action under 28 U.S.C. § 1331 because, as noted, plaintiff asserts that the Diocese violated the ADA and the Rehabilitation Act, which are federal statutes. Thus, plaintiff's action arises under the laws of the United States.

4. Removal of this civil action to the United States District Court for the District of New Hampshire is proper pursuant to 28 U.S.C. § 1441(a) because this is the district "embracing the place where [the State Court] action is pending."

5. The Diocese desires to remove this action to this Court and submits this Notice of Removal in accordance with 28 U.S.C. §§ 1441 and 1446.

6. This Notice of Removal is timely in that counsel for the Diocese received a service copy of the Complaint on March 6, 2025, and the Camp received a service copy of the Complaint on March 5, 2025. Upon information and belief, Peter Anthony Libasci, Bishop of the Roman Catholic Diocese of Manchester, has not been served. Thus, by any measure, this Notice of Removal is filed within 30 days of defendants' "receipt" of plaintiff's Complaint.

7. The Diocese shall promptly provide written notice of the filing of this Notice of Removal to plaintiff and promptly file a copy of this Notice of Removal with the Clerk of the State Court, as provided by 28 U.S.C. 1446(d).

8. Pursuant to Local Rule 81.1(c), the Diocese shall request from the Clerk of the State Court true copies of all records and proceedings in the State Court and shall file the same.

Respectfully submitted,

CAMP FATIMA, INC.; ROMAN CATHOLIC
BISHOP OF MANCHESTER, CORPORATE
SOLE, TRUSTEE OF THE DIOCESE OF
MANCHESTER CENTRAL FUND TRUST; and

PETER ANTHONY, LIBASCI, BISHOP OF THE
ROMAN CATHOLIC DIOCESE OF
MANCHESTER,

By Their Attorneys,
SULLOWAY & HOLLIS, P.L.L.C.

DATED: April 2, 2025

By: /s/ Christopher J. Pyles, Esq.
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on April 2, 2025.

DATED: April 2, 2025

By: /s/ Christopher J. Pyles, Esq.
Christopher J. Pyles, Esq.